

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



MA8606P

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My mailing address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **APPARATUS AND METHOD FOR PREVENTING ADHESIONS BETWEEN AN IMPLANT AND SURROUNDING TISSUES**, the specification of which

(check one)

☐  
☒

is attached hereto  
was filed on July 31, 2003  
as US Application Serial Number 10/632,014

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)  
(Number)

(Country)  
(Country)

(Day/Month/Year Filed)  
(Day/Month/Year Filed)

[ ]  
[ ]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

80/409,137  
(Application Number)  
80/399,813  
(Application Number)

September 9, 2002  
(Filing Date)  
July 31, 2002  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Donald E. Stout, Reg. No. 34,493; Frank J. Uxa, Reg. No. 25,612; Robert D. Bryan, Reg. No. 32,460;  
Kenton R. Mullins, Reg. No. 38,391; Jo Anne M. Yabon, Reg. No. 42,249; Linda Allvagn Fox, Reg. No. 38,889;  
Kyle D. Yesland, Reg. No. 45,628; Greg S. Halliwell, Reg. No. 45,374; Louise S. Helm, Reg. No. 32,337.

Address all telephone calls to  
Address all correspondence to

Kenton R. Mullins at telephone number (949) 450-1750; facsimile number (949) 450-1764  
Kenton R. Mullins  
Stout, Uxa, Buyan & Mullins, LLP  
4 Venture, Suite 300  
Irvine, CA 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature

 Date 12-Feb, 04

Christopher J. Calhoun

Citizenship

U.S.A.

Mailing Address

18722 Vernazza Court, San Diego, CA 92130

Inventor's signature

Date \_\_\_\_\_

Ralph E. Holmes

Citizenship

U.S.A.

Post Office Address

1781 Thomas Ave, San Diego, CA 92120

Inventor's signature



Date 4-FEB-04

G. Bryan Cornwall

Citizenship

U.S.A.

Mailing Address

11801 Alderhill Terrace, San Diego, CA 92131



## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My mailing address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **APPARATUS AND METHOD FOR PREVENTING ADHESIONS BETWEEN AN IMPLANT AND SURROUNDING TISSUES**, the specification of which

(check one)

☐ is attached hereto  
☒ was filed on July 31, 2003  
 as US Application Serial Number 10/632,014

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	[ ]
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	[ ]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/409,137</u> (Application Number)	<u>September 9, 2002</u> (Filing Date)
<u>60/399,813</u> (Application Number)	<u>July 31, 2002</u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>                                    </u> (Application Number)	<u>                                    </u> (Filing Date)	<u>                                    </u> (Status - patented, pending, abandoned)
---	--	--

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Donald E. Stout, Reg. No. 34,493; Frank J. Uxa, Reg. No. 25,612; Robert D. Bryan, Reg. No. 32,460;  
Kanton R. Mullins, Reg. No. 38,331; Jo Anne M. Yabben, Reg. No. 42,243; Linda Alverson Fox, Reg. No. 38,883;  
Kyle D. Yealand, Reg. No. 45,628; Greg S. Hollifield, Reg. No. 45,374; Louise S. Heim, Reg. No. 32,337.

Address all telephone calls to  
Address all correspondence to

Kenton R. Mullins at telephone number (949) 450-1760; facs/fills number (949) 450-1764  
Kenton R. Mullins  
Stout, Uxa, Buyan & Mullins, LLP  
4 Venture, Suite 300  
Irvine, CA 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature

Date \_\_\_\_\_

\_\_\_\_\_  
Christopher J. Calhoun

Citizenship

U.S.A.

Mailing Address

13722 Vemazza Court, San Diego, CA 92130

Inventor's signature

Date 02/05/2004



Ralph E. Holmes

Citizenship

U.S.A.

Post Office Address

1781 Thomas Ave, San Diego, CA 92120

Inventor's signature

Date \_\_\_\_\_

\_\_\_\_\_  
G. Bryan Cornwall

Citizenship

U.S.A.

Mailing Address

10675 Tipperary Way, San Diego, CA 92131